

LAW OFFICES
LEYDIG, VOIT & MAYER, LTD.
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO, ILLINOIS 60601-6780

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TELEPHONE: (312) 616-5600

FACSIMILE: (312) 616-5700 (G3)
(312) 849-0495 (G4)

FACSIMILE COVER SHEET

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OUR REFERENCE: 641505 (207596)

FROM: XAVIER PILLAI, PH.D.
REGISTRATION No. 39,799

TO: COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
WASHINGTON, D.C.

FACSIMILE NUMBER: 571-273-8300

IN RE APPLN. OF: ERICKSON ET AL.
APPLICATION NO. 09/720,276
FILED: MARCH 7, 2001
FOR: FITNESS ASSAY AND ASSOCIATED METHODS

ENCLOSURES: SUBSTANCE OF THE INTERVIEW WITH FAX TRANSMISSION CERTIFICATE UNDER
37 CFR 1.8 OR 1.10 (2 PAGES); AND FAX COVER SHEET.

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FaxPTO (2/9/2001)

SEP 26 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 09/720,276

Applicant: John W. Erickson et al.

Filed: March 7, 2001

TC/AU: 1648

Examiner: LE, Emily M.

Docket No.: 207596 (Client Reference No. E-200-1998/O-US-02)

Customer No.: 23460

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBSTANCE OF THE INTERVIEW

Sir:

On July 6, 2005, applicants through the undersigned, contacted Examiner Emily Le and informed that the Office Action dated May 17, 2005 contained an error, which was not due to applicants' mistake. The correct set of claims was not examined by the Office. On September 2, 2005, the Examiner advised that the Office Action mailed May 17, 2005 will be withdrawn and that a new non-final Office Action will be mailed. The Examiner advised that there is no need to file a reply to the Office Action of May 17, 2005. The Examiner also advised that the deadline for a reply to the new Office Action will start from the mailing date of the new Office Action. This Substance of the Interview is being filed timely, i.e., within 1 month of the Office Communication mailed September 12, 2005.

Application No. 09/720,276


Substance of the Interview

Respectfully submitted,



Xavier Pillai, Reg. No. 39,799
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: September 26, 2005

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input type="checkbox"/> deposited with the U.S. Postal Service using "Express Mail" service in an envelope addressed in the same manner indicated on this document with Express Mail Label Number <input type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	Xavier Pillai		
Signature		Date	September 26, 2005

M:\clients\WIHVAmd\207598 Substance of the Interview (9-26-05).doc